

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, March 21, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA

Adjourned Council/Agency Mtg.
Thursday, March 23, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET, EUREKA

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

1. We may disagree, but we will be respectful of one another.
2. All comments will be directed to the issue at hand.
3. Personal attacks are unacceptable.

ACCESSIBILITY NOTICE: The meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other special needs must be requested of the City Clerk at 441-4175 in advance of the meeting. This agenda and other materials are available in alternative formats upon request.

ROLL CALL

CLOSED SESSION NOTE: Closed Session will commence at 5:30 p.m. with a 6:25 p.m. curfew.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney, City Manager, City Clerk

Pursuant to California Government Code Section 54957

C. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City-owned property located at 2186 Tydd Street,

APN's: 002-191-0202 and 002-191-013

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating parties: Strombeck, Nilson, Pierson

Under negotiation: price, terms and conditions.

Pursuant to California Government Code Section 54956.8

REGULAR SESSION – 6:30 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

COUNCIL REPORTS

BOARD/COMMISSION REPORTS

Keep Eureka Beautiful Award of Merit to Lou Brenman

Open Space Parks and Recreation Commission Report

PUBLIC HEARINGS

1. Public Hearing – Coastal Development Permit for new Rainbow Self Storage facility to be located off Indianola Road on the old Tri-State Theatre property.

Recommendation:

1. Hold a public hearing.
2. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program; and
3. Adopt the **FINDINGS OF FACT** as described in Exhibit 'A'; and
4. Approve the Coastal Development Permit subject to the Conditions of Approval and Mitigation Measures listed in Exhibit 'B'.

(Community Development Director)

2. Public Hearing – Street vacation of the west half of "P" Street between Trinity Street and Sonoma Street in front of a portion of 2104 "P" Street (SV-05-003).

Recommendation:

1. Hold a public hearing.
2. Order the street vacation by adopting the "Resolution ordering the vacation of the west half of "P" Street between Trinity Street and Sonoma Street in front of a portion of 2104 "P" Street being Lot 8 in Block 11 of the High School Addition in the City of Eureka."

(Community Development Director)

PUBLIC COMMENT PERIOD

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

3. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

4. Council meeting minutes.
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of March 7, 2006 as submitted.
(City Clerk)
5. Claim for Damages – Briggs, Patricia.
Recommendation: Reject the claim for damages of Briggs, Patricia.
(City Attorney)
6. Claim for Damages – Hansen, Tracy.
Recommendation: Reject the claim for damages of Hansen, Tracy.
(City Attorney)
7. Claim for Damages – Crow, Kristine.
Recommendation: Reject the claim for damages of Crow, Kristine.
(City Attorney)
8. Claim for Damages – Jerry Droz.
Recommendation: Reject the claim for damages of Crow, Kristine.
(City Attorney)
9. Purchase of Three (3) Honda Civic Hybrid Sedans
Recommendation: Award Bid No. 2006-14 to lowest responsive bidder, Mid City Motor World, in the amount of \$70,803.10.
(Assistant City Manager-Operations)

10. Subrecipient Agreement with Redwood Community Action Agency (RCAA) to provide labor standards management services for a Community Development Block Grant (CDBG) activity.

Recommendation: Authorize staff to enter into a Subrecipient Agreement with Redwood Community Action Agency (RCAA), to provide labor standards management services for the construction of the HSRC New Alzheimer's Center in Eureka. Contract not to exceed \$41,000 of CDBG Grant #04-STBG-1959's General Administration budget.

(Redevelopment and Housing Director)

11. 2006-07 Fee Schedule.

Recommendation: Adopt the resolution establishing various fees and service charges within the City of Eureka.

(Finance Director)

12. Redwood Coast Music Festival Donation.

Recommendation: Accept donation of dance floor.

(Assistant City Manager-Operations)

13. Maintenance Dredging Expenditure Report.

Recommendation: 1. Accept the maintenance dredging expenditure report for developing an additional Sediment Sampling and Analysis Plan and third party analysis; and
2. Authorize a Purchase Order Change Order for Pacific Affiliates, Inc. in an amount not to exceed \$10,000 for contract document modifications, contract advertising, and preparation of monitoring plans and reports required by the California Coastal Commission special conditions of approval.

(Assistant City Manager-Operations)

14. 2005-06 Addendum to Mid-Year Financial Adjustments

Recommendation: 1. Consideration and approval of additional mid-year budget adjustment.

(Finance Director)

ORDINANCES/RESOLUTIONS

15. Vacation of a portion of the “U” Street right-of-way between 5th and 6th Streets.

- Recommendation:
1. Adopt the **FINDINGS OF FACT** listed in Exhibit ‘A’;
 2. Declare the Council’s intention to “Order the Vacation” by adopting the “Resolution of the Council declaring its intention to order the vacation of the south 210 feet of that portion of “U” Street as shown on the map of Eddy Tract as per map recorded in Book 1 of Maps, Page 56, which lies between the south line of 5th Street and the north line of 6th Streets;
 3. Direct the City Clerk to publish the “Resolution of Intention” in accordance with the law;
 4. Direct the Engineering Department to post the street to be vacated in accordance with the law;
 5. Set a public hearing before the City Council for April 18, 2006, to “Order the Vacation.”
- (Community Development Director)

16. California Enterprise Development Authority.

- Recommendation:
1. Approve the attached resolution approving the Joint Exercise of Powers Agreement creating the California Enterprise Development Authority; and
 2. Appoint a member to represent the City to the Authority and authorize the City Manager to serve as the alternate.
- (Redevelopment and Housing Director)

17. Cable Franchise Renewal.

- Recommendation:
1. Approve the Resolution approving a renewed cable franchise agreement and directing the Mayor to execute the agreement on behalf of the City of Eureka;
 2. Approve the Resolution approving the Transfer of Ownership Agreement between the City of Eureka and Cebridge Acquisition, L.P.; and
 3. Approve a "Settlement Agreement" with CoxCom, Inc. to settle all outstanding claims or potential claims arising; and
 4. Approve an Agreement with Humboldt Area Access to manage the community media center and provide PEG access programming and services.
- (City Manager)

18. Draft revisions to the Historic Preservation Ordinance (Eureka Municipal Code, Chapter 157).

- Recommendation:
1. Receive and review the draft revisions to the Historic Preservation Ordinance (Eureka Municipal Code Chapter 157) prepared by the Historic Preservation Commission.
 2. Give direction to staff as to the continued processing of the draft revised ordinance.
- (Community Development Director)

REPORTS/ACTION ITEMS

19. Humboldt County Convention and Visitors Bureau presentation.

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

20. Request for appointment of two City Councilmembers as a sub-committee to meet with staff and the proponents of the Police Review Act.

ADJOURNMENT

NOTE: If open session items cannot be completed by 10:00 p.m., the meeting will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

If closed session items cannot be completed by 6:25 p.m., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.